

Proceeding: **IN THE MATTER OF TELECOMMUNICATIONS RELAY SERVICES AND SPE** ☒ Record 1 of 1
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Before the Federal Communications Commission

Washington, DC 20544

In the matter of CC Docket No. 98-67 Telecommunications Relay Services and
Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities

Reply Comments of Stephanie Buell

September 15, 1998

I am writing with the background of serving as the former Assistant Manager of the BellSouth, Mississippi Relay Service, the former Director of the Wisconsin Telecommunications Relay System, a member of the Wisconsin Telecommunications Advocacy Network, a sitting member of the Wisconsin Public Service's Universal Service Fund Council and a concerned relay customer.

Definitions

Two-line VCO-an enhanced form of VCO where the person with the hearing disability may speak directly to the other party without needing to follow standard TRS protocols, and actually dial the numbers of the person(s) they want to speak with themselves. In this enhanced VCO, the CA's only role in calls is to type as close to real time as possible, what the hearing party is saying.

Operational standards; Communications assistant (CA) and CA Quality and Training

It is ludicrous to include rules requiring CAs to have better than average grammar when they are only typing (transliterating) what they hear. They are not supposed to be using their grammar skills anyway. They do need to have clear and concise diction!

The basic premise mentioned above, can also be applied to CAs in regards to interpreting typewritten ASL. CA's need to be able to have a basic understanding of TTY ASL Glossed communication, but no CA should be required to be able to actually act as an interpreter of that communication. CAs must to read verbatim! Only interpreters should be interpreting.

The quality of a CA in the eyes of TRS users is measured by many things such as, speed, accuracy, technical ability, diction, being able to make the right decision about call processing quickly and having the ability to follow the customer's instructions. Most of these skills and abilities are extremely esoteric and difficult to provide quantitative standards for. Typing speed mandates alone will not improve the quality of service provided by CA's.

The person who is able to type 100 wpm from text may be completely unable to type 100 wpm from an active conversation, while at the same time being cognizant of other procedures they

need to be handle. WI has developed an extensive CA screening process. I would strongly recommend that it be reviewed.

I would recommend the following language

“TRS providers are responsible for hiring CAs possessing the necessary skills and abilities to effectively meet the specialized communication needs of TRS customers. These skills and abilities include:

CA’s having proven audio transcription ability, clear and precise diction readily understood by the majority of English speaking persons, accurate spelling an excellent vocabulary, and familiarity with communication issues faced by persons with speech disabilities as well as the implications of Deaf culture, ASL and TTY etiquette.”

Speed-if-Answer Requirements

What is tantamount to resolving this matter is the Commission’s understanding that TTY users are concerned about the TOTAL time involved in reaching a CA and being able to proceed with calls. We use the same standard as voice phone users — *answer time is from the last digit dialed until the connection to the party being called.*

Technical jargon and loopholes have allowed providers to interpret this any way that looks good for them. The root of the matter is that with regional TRS centers becoming more and more prevalent, callers in NJ may be routed via a center in MS!. How many local lines and switches will that call go through before ultimately reaching the CA’s work station? It is not possible to enumerate!

What is the voice standard for being connected to the number you dialed from the moment you dialed that last digit? The Commission should get the statistics from AT&T , Ameritech,

BellSouth, PacificBell and any other large telco's. These stats do exist. I am confident the voice standard is closer to 5 seconds 98% of the time! How do voice networks measure efficiencies? Why should the TRS industry re-invent the wheel? Get the formula used by telcos currently operating Directory Centers to arrive at the same statistics on the voice network, apply a ratio to allow for the additional considerations of a text based network and use that as a standard. You may be very surprised. The primary difference is that although Directory Service Operators are held to extremely high response standards, they can expedite the call because they can control it. TRS CA's are at the mercy of the network.

Perhaps a much simpler measurement is to require that a CA who is prepared to place the call immediately, will answer no later than the 3rd ring 90% of the time. This would eliminate the queuing issue as well as tricks with the calculations. Each CA's workstation would produce a report at the end of each shift identifying their efficiency rating. (How many calls were presented and NOT answered within 3 rings?) This all is moot, however, until everyone clearly accepts that answer time, to the user, is defined as **"the time span from the last digit dialed until a CA answers"**!

I do not believe providers can significantly change the current US telecommunications network to ensure uniformity. The large telcos whom operate Directory Services DO have the technical ability to track response times—the Commission should request assistance from them.

Abandoned and Redialed Calls

I concur with the tentative conclusion of the Commission NOT to adopt a regulation assuming that all abandoned and redialed TRS calls are the result of overly busy TRS centers. There are

network reports which can show exactly *where* (in the network) a call was abandoned. By having this data you can tell if the call arrive and are accepted into the TRS gateway and *then* abandoned (higher potential that they got a busy signal or more than 3 rings and hung up) or if the caller hung up BEFORE reaching the TRS gateway. It may be just a matter of being VERY specific with vendors about reporting.

Confidentiality and conversation content

CA's should additionally be exempt from part (5) *in response to a subpoena issued by a court of competent jurisdiction, and (6) on demand of other lawful authority.*" Section 705 of the Communications Act, 47 U.S.C. 605.

Suggested language: *"CAs are prohibited from intentionally altering a relayed conversation....must relay all conversation verbatim unless one or both of the relay user specifically requests summarization or interpretation."*

Access To Enhanced Services--Regarding automated voice-menu or audio text systems via TRS, the proposed rule states, *"...the CA is allowed to alert the TRS user that an automated system is present and inquire whether the user wants the CA to summarize the message or listen for a specific message."* I propose adding the option of the CA typing word for word. In most cases this would not be the preferred manner of receiving the audio text, however, it definitely should be provided as an option. One possible phrase for the CA to use might be, *"automated msg, should CA listen for a certain thing, summarize or type every word?"* Although I do agree with this interpretation of the rules, one caution is that by issuing rules in such specificity, it becomes a **policy** mandate, which some vendors may balk at.

The Commission must be very cautious in defining “enhanced services”. Are answering machines considered enhanced? They are if the commission so narrowly interprets the congressional statement “some services, such as audio text services, that connect callers to recorded information services is not the function of this legislation.”

Systems that allow any type of interface be it voiced responses or keyed responses are NOT equivalent to audio text. Audio Text provides static information only, never an opportunity to interact. When I place a call to my doctor, I immediately receive a recorded “tree menu”. There is no choice, but if I want to speak to the doctor, I must wait for the appropriate “prompt” and select the proper key to press. Unless the Commission feels it can ensure that every phone line with such a system connected to it is covered by a text offered menu (accessible via TTY), TRS must provide the service. It may not be perfect, but is a very basic and real part of everyday telecommunications and every effort to improve the process, with technology or with more skilled personnel should be made.

I agree in theory with the notion that if the audio text service is strictly ONE WAY, (information being provided that is not intended to offer an opportunity for interaction) that it is not a TRS issue and must be TTY accessible, under the public access and accommodations requirements of the ADA. A good example of this, is the various state job-lines, where menus allow callers to listen to the various job opportunities around the state. The problem, however, is that these are NOT accessible via TTY’s. Where is the enforcement of ADA for these state-funded offerings? There ARE technologies available that offer audio AND text menu systems – I have seen the DiRad system demonstrated. Must TTY users make professional careers out of writing letters of

complaints regarding egregious lack of access to services? TRS tries to bridge the gap left by such blatant ADA oversights and it is unfortunate for the customers as well as the CA's.

Additionally, I have seen news of a new product available soon which can provide voice recognition of CAs. This technology would mitigate many of the current frustrations with fast talking tree-menu driven systems. The basics of how it works is that each CA "trains" the device to recognize *their* voice; when the CA connects to a recording or voice response system, the CA basically immediately repeats what they hear so that the TTY user CAN respond in a time appropriate fashion.

Please DO NOT just give up on this huge inequity of the telecommunications system. In the mean time, CA's MUST be able to offer the caller some choices, utilizing the approach, "do you want me to listen for something?, condense, or type every word?" This is not the best option because it places the call in the hands of the CA (by asking the CA to determine what to condense) but it is better than having nothing. It seems that the reviewer's comments and proposed language are inconsistent with one another. (see #2 under 64.604 regarding confidentiality & conversation content)

CA Transfers of In-Progress Calls

The Commission writing a rule that a CA stay with a call for at least ten (10) minutes before an in-call CA transfer can take place is NOT consistent with the obligations of common carrier operators. By prescribing a policy like this, you are affecting many personnel and scheduling matters. Basically, this rule will force TRS providers to allow CA's to "unplug" at least 10 minutes prior to their scheduled time off in expectation of potentially receiving a call which may

be 12 minutes in length. I don't believe this type of rule is even legal or constitutional. Some TRS providers use union member CA's who have policies such as this dictated by their local union contract. How will conflicts of that nature be reconciled?

Multi Language Relay

I agree with the tentative conclusion as stated in paragraph 39. I strongly support the inclusion of ASL ~~translation~~ interpretation for reimbursement from the interstate TRS Fund. TRS providers offering calls to be interpreted is very "sticky". WI has an excellent policy whereby one of the parties must request interpretation. A procedure is then followed to obtain one (of a short list) of the qualified staff interpreters to take over the call. If there is no interpreter available, the call is NOT interpreted. The offering of ASL Gloss interpretation is viewed in WI as a value added service. The goal is to be able to provide interpretation 24 hours a day 7 days a week, but the reality is that will not always be possible. In this matter WI has taken the position that having no interpreter (and thus, proceeding with a regular, verbatim relay call) is better than having a quasi - qualified interpretation ruin a call.

14 Discussion, under III A.1.Scope of TRS Generally

I agree on the tentative conclusion that the general public as well as qualified potential job applicants, would understand the term 'Operator' better than CA. I also agree that the intent of Title IV definitely does NOT intend to limit or discourage the deployment of new technologies and IS intended for TRS to be an evolving service that would expand beyond traditional TTY relay services as new technologies develop. By Allowing cost recovery for technical innovation the Commission will expedite the process of a truly functionally equivalent TRS system.

#15 Discussion, under III A.1.Scope of TRS Generally

I agree that because TRS providers are reimbursed on a per minute (thus usage based formula) that allowing for cost recovery of STS and VRI is fair and equitable. The rate for these two services, however, because of the specialized skills and training that are required, needs to be considerably higher than the rate for standard TRS.

#32 Discussion, under III.A. 3. Video Relay Interpreting (VRI) Services

The Commission requests statistical information that is impossible to obtain when current providers have no incentive to invest in the research and development of such a national system. I suggest the Commission issue an RFP, funded by the interstate NECA fund, for a pilot program to be developed within the next year and executed during the next year, in order to obtain hard data on a national VRI system.

In sketch form, this national VRI center would physically look much the same as a traditional TRS center, with the exception of increased privacy of the work spaces that interpreters will be occupying. There would be a network of local calling centers that people could physically go in order to place calls through the national VRI center. There would need to be the capability for the national VRI center to be compatible with equipment that operates from private premises as well (such as many new desk top video conferencing packages allow).

Similar to what current TRS providers do today for direction about connecting with customers using ASCII. Guidelines would need to be set forth and made available to persons wanting to connect using a private video conferencing interface.

#39 under III.A. 4. Multilingual Relay Service

I concur with the tentative conclusion that MRS is best left to the state TRS programs and that Title IV was intended to encompass same-language services. If the commission allows for (as mentioned in comments previously) for ASL gloss interpretation upon request, it is accomplishing functional equivalency for ASL users. True functional equivalency is only possible via VRI or ultimately when every telephone line is able to handle TTY calls.

41 under III A. 5. Access to Emergency Services

I believe the reason (which is sometimes more important than the fact) persons still may go through TRS as opposed to calling 911 directly, is the bad track record 911 generally has as far as answering of TTY calls goes. It only requires one mistake to be a fatal one, and sadly, the Deaf Community has experienced more than one, well documented disaster, when trying to get emergency services via TTY direct calls.

In my mind (after running TRS centers for 6 years) that the CALLER establish if the situation is an emergency to the CA. I believe strongly that if the call is declared an EMERGENCY from the get go, then the CA must NOT follow standard procedures, but must use every means available to expedite the call to the desired end (getting the right kind of help to the right place fast). It is NOT the CA's job to decide if a call is an emergency or not. It is the caller's responsibility to let the CA know. For example: Caller to CA, "Call the fire department!!!!!" CA follows regular procedure. On the other hand, Caller to CA, "Call the fire dept my house is burning up!!!" or, "Call fire dept emergency here!" This is a clearly exclaimed emergency-no guess work or assuming by the CA is done, the CA follows emergency procedures as prescribed by internal policy. Centers should have the freedom to operate within guidelines regarding the passing on of (ani) address information. What if a person called into 911 on the regular voice

line and said “my chest hurts” and then fell unconscious? Would the dispatcher hang up and say, oh well, they didn’t provide me with sufficient details and I’m just going to ignore their address staring at me on this screen. No! The dispatcher would take the information they had and obtain the best kind of help they could with that information. TRS users should have at least the same opportunity to receive help.

For example, in WI we believe that in a declared emergency the CA must always obtain a Supervisor. The Supervisor may or may not take over the call, but will be standing by, should the situation become too intense, or too long , or generally too difficult for the CA to continue. It is also helpful to have another level head helping to think what to do next during a stressful situation.

I would suggest that the Commission let the caller define what is an emergency. It is no one else’s appropriate “place” to make that determination. For one person what is an emergency may be silly to another person. It is not feasible to quantify such a term. Mandates on this will only serve as limiting rather than helpful. WI has a good procedure I would urge the Commission to review it in detail.

Competition Issues/Multivendoring

I personally believe strongly in the concept of competition and multiple vendors for customers to select from. This in fact, is functionally equivalent. The feasibility of multivendoring, however, has yet to be proven. There is insufficient data at this point. We need to know if the only state (CA) with multiple vendors is positive or negative about how it is actually working.

I do feel, however, that it would be wise to encourage state administrators to closely scrutinize contracts with a prime contractor who choose to work with a sub-contractor. There have been many problems stemming from this type of arrangement in WI. When there are so many “players” it is far too easy for one to “pass the buck” to the other and do it until the customer virtually gives up.

A word about cost recovery, if there were a uniform, multivendor environment, why couldn’t costs be recovered exactly the same way they are now? There would simply be more than one company receiving the reimbursements.

Treatment of Customer Information

One vendor might gather it, but when another vendor is added or when vendors change, the information **MUST** be handed over cooperatively to the new vendor. This benefits the customer and aides smooth vendor to vendor transitions. It is no different than a doctor sending over the patient records to a new doctor. It is still confidential information. It just makes good sense.

Enforcement of Certification Issues

Regardless of what the number of TRS complaints on record, there are many more that people simply don’t bother to make because they get very tired of making the same complaints over and over without ever seeing any resolution taking place. Again, this is made worse when more than one entity is involved in providing the TRS services.

#86 TRS Providers

What protection does holding “small provider” status give to the entity? Regardless of how many there are – and the estimate of 12 is probably a generous one—they provide much needed competition and diversity within the industry. Grass roots consumer groups operate several of these entities. These are regular TRS users and offer invaluable perspective to the industry. I

find it unclear as to the potential impacts (positive or negative) the proposed rules, if adopted, would have upon said small entities.